

**ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE**

March 21, 2014

7:59 a.m.

MEMBERS PRESENT

Senator Gary Stevens, Chair
Senator Mike Dunleavy, Vice Chair
Senator Bert Stedman
Senator Charlie Huggins
Senator Berta Gardner

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

CONFIRMATION HEARINGS

State Board of Education & Early Development

Kenneth Galahorn - Kotzebue
Barbara Thompson - Juneau
Kathleen Yarr - Ketchikan

- CONFIRMATIONS ADVANCED

University of Alaska Board of Regents

Courtney Enright

- CONFIRMATION ADVANCED

SENATE BILL NO. 107

"An Act relating to school and school district accountability; relating to the duties of the Department of Education and Early Development; and establishing a reading program for public school students enrolled in grades kindergarten through three."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 107

SHORT TITLE: ESTABLISH K THROUGH 3 READING PROGRAM

SPONSOR(s): SENATOR(s) STEVENS

01/22/14	(S)	PREFILE RELEASED 1/10/14
01/22/14	(S)	READ THE FIRST TIME - REFERRALS
01/22/14	(S)	EDC, FIN
01/29/14	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
01/29/14	(S)	Heard & Held
01/29/14	(S)	MINUTE(EDC)
02/10/14	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
02/10/14	(S)	Heard & Held
02/10/14	(S)	MINUTE(EDC)
03/12/14	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
03/12/14	(S)	Heard & Held
03/12/14	(S)	MINUTE(EDC)
03/18/14	(S)	EDC WAIVED PUBLIC HEARING NOTICE, RULE 23
03/21/14	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)

WITNESS REGISTER

BARBARA THOMPSON, Appointee

Alaska State Board of Education & Early Development

Juneau, Alaska

POSITION STATEMENT: Testified as Appointee to the Alaska State Board of Education & Early Development.

KENNETH GALLAHORN, Appointee

Alaska State Board of Education & Early Development

Kotzebue, Alaska

POSITION STATEMENT: Testified as Appointee to the Alaska State Board of Education & Early Development.

KATHLEEN YARR, Appointee

Alaska State Board of Education & Early Development

Ketchikan, Alaska

POSITION STATEMENT: Testified as Appointee to the Alaska State Board of Education & Early Development.

COURTNEY ENRIGHT, Appointee

University of Alaska Board of Regents

Ketchikan, Alaska

POSITION STATEMENT: Testified as Appointee to the University of Alaska Board of Regents.

TIM LAMKIN, Staff

Senator Gary Stevens

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Provided supporting information on SB 107 on behalf of the sponsor.

SUSAN MCCAULEY, Ph.D., Director
Teaching and Learning Support
Department of Education and Early Development (DEED)
Juneau, Alaska

POSITION STATEMENT: Answered questions related to SB 107.

POSIE BOGGS, representing herself
Anchorage, Alaska

POSITION STATEMENT: Offered suggestions to amend SB 107.

ACTION NARRATIVE

[7:59:43 AM](#)

CHAIR GARY STEVENS called the Senate Education Standing Committee meeting to order at 7:59 a.m. Present at the call to order were Senators Huggins, Dunleavy, Gardner, Stedman, and Chair Stevens.

CONFIRMATION HEARINGS

[8:00:34 AM](#)

CHAIR STEVENS announced that the first order of business would be confirmation hearings.

[8:00:45 AM](#)

At Ease

Alaska State Board of Education & Early Development

[8:00:51 AM](#)

CHAIR STEVENS reconvened the meeting and asked Ms. Thompson if she had opening remarks.

BARBARA THOMPSON, Appointee, Alaska State Board of Education & Early Development, Juneau, Alaska, said she's been associated with education for 31 years. She shared her experience with adult education programs, with the Department of Education and Early Development, and the Colorado State Education Commission where she learned about national and international education policy. She said she has maintained her Alaska residency.

CHAIR STEVENS thanked Ms. Thompson for her contribution.

[8:03:16 AM](#)

SENATOR DUNLEAVY asked why she wants to be part of the Board.

MS. THOMPSON replied she's fully retired so she has the time, as well as the interest and background needed to be involved and make informed decisions about education. She said she feels she would be an asset to the Board.

CHAIR STEVENS asked if she has any issues she plans to focus on.

MS. THOMPSON replied she is very interested in the options offered through educational choice and teacher preparation and education. She thought there needs to be more communication with the university system in those areas. She added that there are many things Alaska can learn from other states and countries to increase the effectiveness of teachers.

8:05:55 AM

SENATOR GARDNER noted in 2009 Ms. Thompson wrote a paper for Education Commissioner LeDoux about Common Core Standards - National Standards. She asked if Ms. Thompson has any concerns about the state's adopting the Alaska Academic Standards.

MS. THOMPSON explained that the paper was to point out the pros and cons of Common Core Standards and what other states were doing. She opined that what Alaska did in creating its own standards was a good idea. It consisted of a comprehensive review and update of the Common Core Standards. She concluded that from what she knows of the process, the state standards are rigorous.

SENATOR HUGGINS asked if there things Alaska needs to do to remove some of the obstacles, such as the collective bargaining process, that are in place now for Type M limited certificates.

MS. THOMPSON said she would have to look into that; she said she doesn't know if they've been revised since she was with DEED.

SENATOR HUGGINS suggested not limiting it to Type M.

CHAIR STEVENS thanked Ms. Thompson for her service.

8:09:57 AM

KENNETH GALLAHORN, Appointee, Alaska State Board of Education & Early Development, Kotzebue, Alaska, said he was born and raised in Kotzebue and is very eager to serve. He said he served on the Northwest Arctic Regional School Board and he has a passion for all kids to succeed. He would like to see a mandatory pre-K

program statewide. He said one of the obstacles is money, but maintained it would be worthwhile.

CHAIR STEVENS asked if he has any views on getting children to read before third grade.

MR. GALLAHORN replied his view is that you must get to kids earlier rather than later to ensure their success.

CHAIR STEVENS thanked Mr. Gallahorn.

CHAIR STEVENS asked Ms. Yarr if she had opening comments.

8:12:51 AM

KATHLEEN YARR, Appointee, Alaska State Board of Education & Early Development, Ketchikan, Alaska, said she began teaching in 1984. She provided her educational history. She said she has a long history of working with at-risk kids, as well as with those that are "ready to roll." She related her experiences as a director of Social Services in Ketchikan and with the University of Alaska as the Coordinator of Student Services, counselor, and recruiter of Native students who wanted to become teachers. She has also been a GED instructor.

CHAIR STEVENS asked if she had ideas on how to encourage Alaskans to become teachers.

MS. YARR replied that the technology program is helping students in rural areas to keep up and to develop an interest in teaching. She also voiced appreciation for the Alaska Performance Scholarship, which her daughter is using in college.

CHAIR STEVENS thanked Ms. Yarr for being willing to serve. He closed the public hearing and solicited a motion.

8:17:29 AM

SENATOR DUNLEAVY moved to advance the names Barbara Thompson, Kenneth Gallahorn, and Kathleen Yarr for appointment to the State Board of Education & Early Development to the full membership of the legislature in joint session for consideration and a final vote.

CHAIR STEVENS found no objection and reminded members that this does not reflect any intent by the members to vote for or against the confirmation of the individuals during any further sessions.

8:18:01 AM

At ease

University of Alaska Board of Regents

8:19:34 AM

CHAIR STEVENS reconvened the meeting and asked Ms. Enright if she had any opening comments.

COURTNEY ENRIGHT, Appointee, University of Alaska Board of Regents, Ketchikan, Alaska, said she is currently a student at the University of Alaska - Fairbanks. She noted her primary goal as a student representative is to make it easier for students to transfer among the campuses of the university.

CHAIR STEVENS asked how long she has been on the Board of Regents.

MS. ENRIGHT said she was appointed in June 2013.

SENATOR DUNLEAVY asked how she views the different campuses.

MS. ENRIGHT replied she views them as one university or academic unit with three different campuses.

CHAIR STEVENS asked her plans upon graduation.

MS. ENRIGHT answered that she hopes to graduate in the spring of 2015 and get a job in engineering.

CHAIR STEVENS closed public testimony.

8:22:33 AM

SENATOR DUNLEAVY moved to advance the name Courtney Enright for appointment to the University of Alaska Board of Regents to the full membership of the legislature in joint session for consideration and a final vote.

CHAIR STEVENS reminded members that this does not reflect any intent by the members to vote for or against the confirmation of the individuals during any further sessions.

8:22:56 AM

At ease

SB 100-EDUCATION GRANTS; CORRS STUDY; ALLOTMENTS

[8:24:31 AM](#)

CHAIR STEVENS reconvened the meeting and noted that Senator Gardner wanted to make a clarification.

SENATOR GARDNER clarified that when the committee passed SB 100, she indicated that her office had a legal opinion that the bill was constitutional. That statement was in error; she has a legal opinion that SB 100 is not constitutional. She said she asked her staff to transmit that opinion to members of the committee and their staff.

SENATOR DUNLEAVY asked if the opinion said SB 100 is not constitutional or questionable.

SENATOR GARDNER said the question was presented "as written today." Part of the opinion hinged around the language in the paragraph that says "notwithstanding."

CHAIR STEVENS thanked Senator Gardner for the clarification.

SENATOR GARDNER said these opinions are only opinions. No one knows for sure unless there is a lawsuit.

SB 107-ESTABLISH K THROUGH 3 READING PROGRAM

CHAIR STEVENS announced the consideration of SB 107. [Version U was before the committee.]

CHAIR STEVENS asked Mr. Lamkin to summarize version U of SB 107.

[8:26:48 AM](#)

TIM LAMKIN, Staff, Senator Gary Stevens, Alaska State Legislature, Juneau, Alaska, explained that SB 107, version U, is a function of a nationwide movement to help children read by third grade. This bill seeks to establish a reading plan for every single school in the state for every student that needs one.

He related that schools have a five star performance rating system. It is only the schools that have one or two stars that currently have in regulation the notion of reading plans. He corrected the statement that "all schools are currently doing this." Only the low-performing schools have that type of intervention to introduce a reading program.

He stated that SB 107 proposes that every school have a reading plan in place. He noted several states are already moving in

this direction and it is a research-based, best practices movement. He said the State Board of Education is planning to address the issue in June.

[8:29:19 AM](#)

MR. LAMKIN shared the changes needed in the bill. On page 9, line 27, regarding mental health support, he suggested inserting "whenever practicable" instead of "when necessary." Also, if a school does not have a school counselor or psychologist, line 28 could be changed to refer to "a qualified school psychologist, school social worker, or school counselor" instead of "the school psychologist....." He opined that it would help move the bill forward to consider putting in an effective date of July 1, 2016. That would show that this is a priority of the legislature and would give districts and the department time to produce the funds and resources needed to apply the new program.

He noted that DEED is available for questions.

[8:31:22 AM](#)

CHAIR STEVENS asked Mr. Lamkin to repeat the suggested changes.

MR. LAMKIN reiterated the changes.

SENATOR GARDNER asked if there are psychologists, social workers, or counselors that are not qualified. She suggested leaving off "qualified."

MR. LAMKIN replied that is a valid question, but said the word is a qualifier.

SENATOR HUGGINS questioned whether a school counselor can provide mental health support.

CHAIR STEVENS said one of the concerns is putting requirements on small schools and districts that may not have a psychologist.

SENATOR HUGGINS said there clearly is a cost factor to the bill. He asked if that is reflected in the fiscal note.

MR. LAMKIN said the fiscal note reflects the need, or potential need, for reading coaches that DEED would provide and related resources as an option to districts. It does not speak to foundation formula funds that may very likely be needed as additional resources at a district level.

SENATOR DUNLEAVY said there are different types of counselors and many aren't trained for mental health services. He further commented that on page 9, line 27, paragraph (4) doesn't seem to be related to reading. He asked why this was included.

MR. LAMKIN replied this legislation is modeled after Colorado legislation. He said every student has different circumstances. There may be a situation where a student needs extra help on the side, such as mental health counseling, that is outside of reading instruction. He suggested the committee may consider striking paragraph (4).

[8:36:13 AM](#)

SENATOR HUGGINS agreed with Senator Dunleavy's observation. He opined the paragraph should apply to a school, not just to reading or math. He suggested including it in an omnibus manner.

SENATOR GARDNER noted that she received an email from a teacher who said scripted teaching to prevent reading deficiencies doesn't work and that is what this legislation would require districts to adopt. She thought the bill required a focused effort to meet the needs of a student who is not succeeding, not scripted teaching. She asked Mr. Lamkin to comment about that.

MR. LAMKIN said he would defer to the department to answer.

SENATOR HUGGINS directed attention to paragraph (3) on page 9, line 25. He asked what happens to teachers who have a low rating.

MR. LAMKIN said it's his understanding that not all teachers have the aptitude or interest in that type of teaching. The bill would prescribe that students have a highly rated teacher. He assumed that if a teacher does not have a high rating they would no longer be teaching students. He deferred further comment to the department.

SENATOR HUGGINS clarified his question is about teacher evaluations.

MR. LAMKIN said he assumes that at the district level they should be able to determine if the teacher is qualified.

SENATOR HUGGINS asked who gets the teachers that aren't highly qualified.

SENATOR STEDMAN agreed with Senator Huggins' point.

[8:41:07 AM](#)

SUSAN MCCAULEY, Ph.D., Director, Teaching and Learning Support, Department of Education and Early Development (DEED), Juneau, Alaska, addressed the issue about the requirements already existing in regulation. She conceded that there is language in regulation that parallels the language in the bill, but it applies to priority schools only. Priority schools are one-star, Title I schools. There are only 16 priority schools in the state that this applies to. She listed the provisions in regulation. She stressed that the other 500-some schools are left out. There are no district requirements to have a similar reading program.

SENATOR GARDNER asked if focus schools were the subject of a lawsuit.

DR. MCCAULEY said no. The terms "focus" and "priority" are US Department of Education terms and all states are required to identify them. They must be Title I schools. In Alaska there are 16 priority schools and 29 focus schools.

SENATOR GARDNER asked if the department has a position on the legislation.

DR. MCCAULEY said the legislation tracks closely with research and best practices regarding early literacy, although there are different opinions on instruction. However, the research is very clear in early literacy and reading; early intervention is critical.

[8:46:20 AM](#)

SENATOR GARDNER relayed that the email she received in opposition to the bill said that "scripted teaching to prevent reading deficiencies does not work, and that is precisely what this legislation will require districts to adopt." She asked if SB 107 requires scripted teaching to be adopted.

CHAIR STEVENS asked Dr. McCauley to include a definition of scripted teaching in her response.

DR. MCCAULEY explained that scripted teaching would be on the far end of the continuum of direct instruction. It would have a specific program or textbook that specifically scripts for a teacher what he/she should say. That specific methodology is sometimes used school wide. She said she doesn't believe the bill directs that type of teaching. The bill says to focus on

the five areas: phonemic awareness, phonics, vocabulary, comprehension, and fluency.

SENATOR HUGGINS asked about the language on page 9, lines 8-9, "including verbal skills and reading comprehension."

DR. MCCAULEY said that language addresses the five areas and adds "verbal skills" as an element of focus. She said the new standards include a standard for speech.

SENATOR HUGGINS asked if the program is already being used in the priority schools.

DR. MCCAULEY said yes. Priority schools are required to address the five elements in their school improvement plans.

SENATOR HUGGINS asked for data on how those schools are doing.

DR. MCCAULEY said she would follow up with that information.

SENATOR STEDMAN asked that the information be broken down rather than given in aggregate.

SENATOR DUNLEAVY asked when Finland begins the decoding concept.

DR. MCCAULEY said age seven.

SENATOR DUNLEAVY asked when the United States and Alaska does it.

DR. MCCAULEY said Alaska begins teaching phonics and phonemic awareness in kindergarten.

SENATOR DUNLEAVY said the bill doesn't define a reading deficiency. He asked how reading deficiency is determined.

DR. MCCAULEY explained that many districts have reading programs in place that mirror the bill's requirements. The way they identify a significant reading disability is first by setting benchmark expectations with regard to screening assessments. When a student doesn't meet those benchmarks there is a further diagnostic assessment for which there would be an established range of scores to find if there is a significant reading deficiency. She emphasized that when these reading systems are in place there are benchmark assessment scores that indicate the degree to which a student may be experiencing a significant

disability. It is not left up to an individual teacher's judgment; it is a system-wide approach.

SENATOR GARDNER asked about simple reading readiness; some kids aren't developmentally ready when others are ready. She asked if there's any allowance for that.

DR. MCCAULEY opined that good district-wide programs take that into consideration. There should be systems in place so that no children fall through the crack. She described the process. The bill also provides for discussions with parents when a student appears to be falling behind. She concluded that she doesn't see anything in the bill that precludes assessing reading readiness.

[8:59:12 AM](#)

SENATOR HUGGINS asked Dr. McCauley to think globally about student assessments. He suggested that math should be considered alongside reading.

DR. MCCAULEY said the state has adopted new reading and math standards and they are much higher than before. She didn't disagree that they're both important, but a child who struggles with reading will struggle in every subject area.

SENATOR HUGGINS said he doesn't see it as an either/or situation.

SENATOR DUNLEAVY referenced page 9, lines 24 - 26. He asked if this law would trump a negotiated agreement in a school.

DR. MCCAULEY replied that it does not trump elements in a district negotiated agreement. She cited an example and opined that the words "whenever practicable" are relevant because they provide a principal direction and intent.

SENATOR HUGGINS said he's never heard of a school that micromanaged to the point of saying you couldn't teach unless you were at a high level.

DR. MCCAULEY said she didn't have that experience, but what is discussed at districts is that there is effort to match teacher expertise with students who are struggling, particularly with reading.

[9:08:10 AM](#)

SENATOR HUGGINS asked what a principal does with a teacher with a low performance rating.

DR. MCCAULEY said there are required elements, but principals have quite a bit of flexibility in assigning a teacher.

SENATOR DUNLEAVY asked if small schools might often rely on the "whenever practicable" clause.

DR. MCCAULEY agreed. She thought the language would require some professional development and support for teachers from the department.

SENATOR DUNLEAVY observed that SB 100 would be in compliance with this law when a student isn't proficient.

DR. MCCAULEY related that SB 100 and SB 107 are comparable in that they focus attention on students who are struggling. SB 107 provides for what a school district must do when a child is struggling. SB 100 also talks about focusing attention on the student who is not proficient and specifies in the ILP activities to address that.

[9:12:44 AM](#)

CHAIR STEVENS opened public testimony.

POSIE BOGGS, representing herself, Anchorage, Alaska, began her testimony with an explanation of why Finland waits until age 7 to teach decoding skills. She said the reason is that Finnish is an easier language to learn to decode than English.

She expressed concern with page 9, line 26, and offered alternative language, "and teachers who possess expertise in reading instruction as evidenced by passing a stand-alone licensure test of beginning reading instructional knowledge...." She concluded with statistics from Alabama.

CHAIR STEVENS closed public testimony and announced he would hold SB 107 for further consideration.

[9:18:53 AM](#)

There being no further business to come before the committee, Chair Stevens adjourned the Senate Education Committee meeting at 9:18 a.m.